

## **Executive Committee Meeting Minutes – Monday, November 3, 2003**

Chairman Dwyer called the meeting to order at 8:30 a.m. and led the Committee in the Pledge of Allegiance.

**Present:** Chairman James Dwyer, County Board Supervisors Patricia Haukohl, Kenneth Herro, Walter Kolb, Richard Manke, Duane Paulson and Duane Stamsta. Supervisor Herro left at 10:35 a.m. Supervisor Paulson left at 11:30 a.m.

**Also Present:** CJCC Coordinator Michelle Cyrulik, Internal Audit Manager Lori Schubert, Legislative Policy Advisor Dave Krahn, Office Services Coordinator Windy Jicha, Judge Kathryn Foster, Principal Assistant Corporation Counsel Debbie Price, Principal Internal Auditor Joe DeAntonis.

### **Discuss an Update on the Criminal Justice Collaborating Council**

Cyrulik was present to give the committee an update on the Criminal Justice Collaborating Council (CJCC). She distributed the November 2003 Monthly Activity Report and reviewed it with the committee. The CJCC Executive Committee created the Criminal Case Management Subcommittee. Bucher and Foster co-chair the subcommittee and examine the current case flow process and investigate areas of improvement. The Executive Committee discussed administrative issues related to the CJCC and will make a presentation at the November CJCC meeting.

Dwyer said the bylaws of the CJCC state that the chair of the committee should rotate between the bodies of government. Dwyer said he was supposed to be the chair next year but due to the upcoming elections for County Board Supervisors and for the continuity of the committee, Foster will continue to chair the committee.

Cyrulik said the Data and Information Committee recently heard a presentation from the Clerk of Court's office in preparation for the suite of reports that will be provided to the CJCC. This committee also got updates on the following issues: the data warehouse, the Sheriff's Department's conversion to Spillman, the District's Attorney's conversion to Protect and the status of integrating necessary components of CCAP into each of these processes.

Cyrulik said the Jail and Huber Utilization Committee heard a presentation from Huber and Probation and Parole staff on the electronic monitoring programs. Specific content areas of the presentation included program changes, trends in usage and technological advancements. Foster said they received an educational grant that will allow the Council to review a drug court in Maricopa County, Arizona. They will observe and learn how this court system works and bring ideas back to Waukesha County. They will also review drug courts in Michigan and New Mexico. Cyrulik said the Jail and Huber Utilization Committee members provided CJCC staff with feedback on the desired data they would like to routinely see at each committee meeting. This data will assist committee members in examining the jail population.

Foster said the idea of the drug treatment court is to give people a chance at treatment. Locking them up gives you comfort for the time they are locked up but what happens when they get out of jail? They have not made any personal changes toward recovery. Drug treatment courts provide them with immediate punishment. They are given immediate punishment/consequences for making inappropriate decisions.

Cyrulik said the Pretrial Subcommittee of the Jail and Huber Utilization Committee continues to analyze operating after revocation issues. The subcommittee is investigating these issues and is getting closer to identifying potential solutions to alleviate caseload congestion. At the next meeting they will be looking at possible solutions and the implementation of solutions within the staffing and budgetary guidelines. In the future, the subcommittee will discuss video conferencing and the issuance of worthless checks.

Cyrulik said the Juvenile Justice Committee is completing the mapping process of the Juvenile Justice System. They will conclude by discussing how individuals with both juvenile and adult cases are handled in the criminal justice system. In the future, the committee will discuss disposition and correctional issues in the juvenile justice system. The Juvenile Restitution Subcommittee is reviewing juvenile restitution process

through a presentation from the Victim/Witness staff of the District Attorney's Office. Future meetings for the Subcommittee will include lessons on restitution activities from Health and Human Services as well as a presentation on civil matters.

Cyruik said the Programs and Alternatives Committee continues to map the Mental Health System. They will meet in November to look at what goes on in the system and what paths are taken once someone is in the system.

Dwyer said he would like the Executive Committee to hear CJCC updates every six months.

**Discuss and Consider Pending 2003 Legislation that Would Authorize a City or a Village to Abolish its Police Department and Contract with Law Enforcement Services with a County**

Krahn said he wanted the committee to be aware of this pending legislation. This bill has not yet been introduced but the cities are very much in support of it and it is actually a League of Municipalities bill. This bill would allow a city or village to go to the county for law enforcement services. The bill spells out exactly how the process will work.

The cities are saying that they want to be able to have this choice. Stamsta said this allows towns the option to set up their own police department or contract with the county for services if they incorporate.

Krahn said this bill will be presented by Representative Musser and Senator Schultz and has bipartisan support.

Kolb asked who would set the contracted price? Krahn said the counties would set the prices.

Paulson said the county could offer the cities and villages their expertise on all kinds of crimes and law enforcement tasks.

**MOTION:** Manke moved, Stamsta second, to support the 2003 Legislation that would Authorize a City or a Village to Abolish its Police Department and Contract with Law Enforcement Services with a County. **Motion carried:** 7-0.

**Legislative Update**

Krahn distributed and reviewed the 2003 State Legislation dated November 3, 2003. He briefly reviewed the following bills: AB 54, AB 133, AB 255, AB 417, AB 435, AB 608, AB 551, AB 593, AB 611, SB 71 and SB 72.

He said AB 61 is the 911 bill. We are waiting for the governor's office to name a technical committee from the counties to develop rules relative to the implementation of this law. In January or February a resolution will come forward to the County Board naming Waukesha County the PSAP.

Krahn said AB 201 is the kinship care bill. This bill is hard to be against but in actuality, it doesn't provide funding for the services outlined in the bill. This would set people up for kinship care and then put them on a waiting list. AB 547 deals with the issue of Internet sales. This bill is a national level effort. Right now the bill is working its way through the states. This bill would allow the collection of all sales tax from Internet sales.

Supervisor Herro left the meeting at 10:35 a.m.

Krahn said AB 606 would allow Waukesha County to reduce the size of the County Board at any time. This bill would allow any county in the state in addition to Milwaukee to reduce the size of their county board at any time. AB 616 addresses the out-dated indigence requirements for state public defenders. This bill would allow judges to determine if defendants are indigent and can then make the county pay the bill. There is no funding to go with this bill and counties are not happy with it. There's a meeting on this on November 16 that Krahn plans on attending. He will come back to the committee with an update on the issue.

Krahn said we didn't get involved with the carrying concealed weapons issue. It is important to note that if it were to pass, the governor is supposed to veto the bill. If it were to become law, a sheriff would sell licenses and provide background checks. The county would get \$75 per license issued. If the Sheriff's Department doesn't want to do these duties, the Sheriff can ask the County Board to opt out his department in this process.

Haukohl said bills AB136, AB551, AB507, AB608, AB437 and SB110 should be brought to the LUPE Committee.

### **Discuss and Consider Appointment 158-A-012: Appointment of Mary Voelker to the County Zoning Board of Adjustment**

**MOTION:** Paulson moved, Haukohl second, to approve 158-A-012: Appointment of Mary Voelker to the County Zoning Board of Adjustment. **Motion carried:** 6-0.

### **Discuss and Consider Child Support Division Audit**

Schubert reviewed the Child Support Division Audit with the committee. She explained the roles, duties and budget of the Child Support Division. This was a compliance audit to review the operations of the Child Support Division, evaluate the level of compliance with State and Federal regulations and evaluate the earning of performance funds. The Division is responsible for implementing and administering the federal Child Support Enforcement Act per Title IV-D of the Social Security Act and Wisconsin Statutes. Funding for this program is provided through a combination of federal and state funds. The state contract includes performance measures which the Division must comply with to earn additional performance monies. Duties of the Division include establishing paternity, obtaining initial court orders for support, obtaining modifications to the court orders, enforcing court orders and collecting delinquent accounts.

Schubert said overall the audit staff found the Division to be operating in an efficient and effective manner and to be complying with the state and federal regulations relating to the Child Support Program. In 2002, the Division earned 100% funding available on two performance measures and 96% of the available funding on the third measure. The Division anticipates earning 100% of the available performance monies in 2003.

Schubert said the audit found that the Division is doing a very good job. There are three minor recommendations in this report. In an effort to increase the amount of collections from estates of non-custodial parents (NCPs) or of estates where the NCP is a beneficiary, the Audit staff recommends that the Division work with the Probate Division staff to obtain a listing of all new probate cases opened each month. Next, the Audit Department staff recommends that Division staff maintain hard copy of the reports they utilize at strategic points of time. Division staff has not maintained hard copies of reports at year-end which would allow for trend analysis on delinquencies or other statistics useful to the Division. The last recommendation is for the Child Support Division to request that the state prepare ad hoc reports which identify delinquent cases with current payments and delinquent cases without current payments. The delinquency report includes cases that have current payments and cases that do not have current payments. This makes it challenging for caseworkers to easily identify cases that do not have current payments.

Supervisor Paulson left the meeting at 11:30 a.m.

Farley said the percentage of income a parent pays per child for child support used to be 17% for one child and up to 31% of gross income depending on the number of children. The new state law implemented changes in the consideration of how much a NCP pays. It is a percentage of custodial placement time. These percentages are gross, pretax dollars.

**MOTION:** Manke moved, Haukohl second, to Accept the Child Support Division Audit and refer it to the Personnel Committee. **Motion carried:** 5-0.

#### **Discuss Scope of Environmental Health Audit**

Schubert and DeAntonis reviewed the scope of the Environmental Health Audit. Schubert said the chart details the six program areas the division encompasses. These programs are: Environmental Health, Humane Animal Program, Hazardous Material Program, Laboratory Program, Licensing Program and Septic/Well Program. The scope of the audit will be a compliance and performance audit of the Division's activities. The audit will focus on the programs related to the Licensing and Septic/Well Programs, and grant management activities of the Division as these activities have the greatest public impact and highest potential risk related to operations.

Haukohl said she has concerns with the Environmental Health Program in regards to the licensing of restaurants and restaurant issues. Does the Division have sufficient staff to monitor the establishments in Waukesha County and enforce the rules?

Dwyer said he would like the scope of the audit to include looking at the school lunch programs in the county in particular the hot lunch programs, staffing, cleanliness and children leaving food in lockers unrefrigerated. Schubert said they could add that to the Licensing Program portion of the audit.

**MOTION:** Stamsta moved, Haukohl second, to approve the Scope of the Environmental Health Audit. **Motion carried:** 5-0.

#### **Motion to Adjourn**

**MOTION:** Manke moved, Haukohl second, to adjourn the meeting at 12:35 p.m. **Motion carried:** 5-0.

Respectfully submitted,

Duane E. Paulson  
Secretary